

Attorney's Docket No. 039035/215341

PATENT

#1/dpm  
12-12-03  
Ret re  
Aband.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re: Cann et al. Confirmation No. 5387  
Appl. No.: 09/893,928 Group Art Unit: 3723  
Filed: June 28, 2001 Examiner: Grant, Alvin J.  
For: METHOD AND APPARATUS FOR RECYCLING SLURRY

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RECEIVED  
NOV 14 2003  
TECHNOLOGY CENTER R3700

**PETITION UNDER 37 C.F.R. 1.181 TO WITHDRAW HOLDING OF ABANDONMENT  
IN ACCORDANCE WITH MPEP §711.03(c) AND 1156 O.G. 53**

Sir:

As set forth in MPEP § 711.03(c) and 1156 O.G. 53, Applicants hereby petition to have the holding of abandonment of the above-identified application withdrawn. The application was held to be abandoned for failure to respond to an Office Action mailed March 12, 2003.

The applicant fully responded to the Office Action with a filing of an Amendment and Amendment Fee Transmittal, which were filed in the PTO by the mail on May 15, 2003. Copies of the Amendment, Amendment Fee Transmittal, check, and postcard receipt are attached. A copy of the endorsed check submitted with the Amendment is also attached.

In light of the above evidence, it is believed clear that a full response to the Office Action of March 12, 2003 was made within the allowable time period, and that no abandonment has in fact occurred. It is accordingly submitted that the holding of abandonment should be withdrawn and the application returned to the Examiner for further processing.

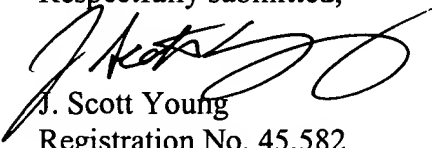
The subject Petition does not require a fee, note Section 711.03 (c) (I) of the MPEP.

In view of the foregoing remarks and the enclosed evidence indicating that the Office Action was not received, Applicants respectfully request that the instant petition be granted and that the holding of abandonment of the application be withdrawn.

In re: Cann et al.  
Appl. No.: 09/893,928  
Filing Date: June 28, 2001  
Page 2

It is believed that the present petition is treated as a petition under 37 C.F.R. 1.181, and that no fee is applicable. However, if any fee is due, please charge the fee to our deposit account No. 16-0605.

Respectfully submitted,

  
J. Scott Young

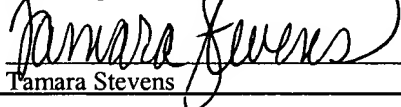
Registration No. 45,582

**CUSTOMER NO. 00826**  
**ALSTON & BIRD LLP**  
Bank of America Plaza  
101 South Tryon Street, Suite 4000  
Charlotte, NC 28280-4000  
Tel Charlotte Office (704) 444-1000  
Fax Charlotte Office (704) 444-1111  
CLT#4617390v1

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on November 6, 2003

  
Tamara Stevens